

Amendments to House Bill No. 25
3rd Reading Copy

Requested by Senator Greg Lind

For the Senate Natural Resources and Energy Committee

Prepared by Sonja Lee
March 31, 2007 (10:46am)

1. Title, page 1, line 11.

Following: "RESOURCES;"

Insert: "REQUIRING THE COMMISSION TO ADDRESS CARBON OFFSETS IN
THE APPROVAL PROCESS;"

2. Title, page 1, line 16.

Following: "MCA"

Insert: "; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE"

3. Page 3, line 17.

Strike: "69-8-103(3)(b)"

Insert: "69-8-103(4)(b)"

4. Page 5.

Following: line 27

Insert: "(3) 'Carbon offset provider' means a qualified third-party entity that arranges for projects or actions that either reduce carbon dioxide emissions or that increase the absorption of carbon dioxide."

Renumber: subsequent subsections

5. Page 6.

Following: line 3

Insert: "(5) 'Cost-effective carbon offsets' means any combination of certified actions taken to reduce carbon dioxide emissions, which collectively do not increase the cost of electricity produced annually on a per-megawatt-hour basis by more than 2.5%, including:

(a) actions undertaken by the applicant that increase the absorption of carbon dioxide from a facility or equipment used to generate electricity; or

(b) actions by a carbon offset provider on behalf of the applicant."

Renumber: subsequent subsections

6. Page 17, line 20.

Strike: "DECEMBER 31, 2007"

Insert: "March 31, 2008"

7. Page 19, line 12.

Following: "(4)"

Insert: "(a)"

Strike: "THE"

Insert: "Except as provided in subsections (4)(b) through (4)(d),
the"

8. Page 19.

Following: line 16

Insert: "(b) If an air quality permit pursuant to Title 75, chapter 2, is required for a new electrical generation resource or a modification to an existing resource, the commission shall hold the public hearing on the application for approval at least 30 days after the issuance of the final air quality permit.

(c) If a final air quality permit is not issued within the time limit pursuant to subsection (4)(a), the commission shall extend the time limit in order to comply with subsection (4)(b).

(d) The commission may extend the time limit for issuing an order for an additional 60 days following the hearing pursuant to subsection (4)(b)."

9. Page 20.

Following: line 7

Insert: "(e) When issuing an order for the acquisition of an equity interest or lease in a facility or equipment that is constructed after January 1, 2007, and that is used to generate electricity that is primarily fueled by natural or synthetic gas, the commission shall require the applicant to implement cost-effective carbon offsets. Expenditures required for cost-effective carbon offsets pursuant to this subsection (6)(e) are fully recoverable in rates. By March 31, 2008, the commission shall adopt rules for the implementation of this subsection (6)(e)."

Renumber: subsequent subsections

10. Page 20.

Following: line 20

Insert: "(8) Until the state or federal government has adopted uniformly applicable statewide standards for the capture and sequestration of carbon dioxide, the commission may not approve an application for the acquisition of an equity interest or lease in a facility or equipment used to generate electricity that is primarily fueled by coal and that is constructed after January 1, 2007, unless the facility or equipment captures and sequesters a minimum of 50% of the carbon dioxide produced by the facility."

Renumber: subsequent subsections

11. Page 21, line 8.

Strike: "DECEMBER 31, 2007"

Insert: "March 31, 2008"

12. Page 25, line 14.

Insert: "NEW SECTION. Section 23. Effective date. [This act]
is effective on passage and approval."

- END -